

Response Date and Time: March 15, 2007 at 4:00 p.m.

von Briesen & Roper, s.c.
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ATTORNEYS FOR ROTAFORM, LLC

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re: :
: Chapter 11 Case
DELPHI CORPORATION, et al., : 05-44481-RDD
Debtors. :
: (Jointly Administered)

**ROTAFORM, LLC'S RESPONSE TO THE
DEBTORS' NINTH OMNIBUS CLAIMS OBJECTION**

Rotaform, LLC, a creditor and party in interest ("Rotaform"), by its counsel, von Briesen & Roper, s.c., hereby files this Response to the Debtors' Ninth Omnibus Claims Objection Pursuant to 11 U.S.C. § 502(b) and Fed. R. Bank. P. 3007. In support of this Response, Rotaform respectfully shows:

1. Rotaform was a prepetition vendor to debtor Delphi Automotive Systems, LLC ("Debtor").
2. On October 8, 2005 (the "Petition Date"), Delphi Corporation and certain of its subsidiaries and affiliates, including the Debtor (collectively, the "Debtors") filed their petitions in bankruptcy commencing the above-referenced bankruptcy cases.
3. On or about July 27, 2006, Rotaform filed various proofs of claim against the Debtors, including Claim No. 11527 in the amount of \$45,258.00 (the "Claim").

4. The Claim is based on amounts owed by the Debtor to Rotaform for goods delivered to the Debtor prior to the Petition Date.

5. On or about February 15, 2007, the Debtors filed the Debtors' Ninth Omnibus Objection (Substantive) Pursuant to 11 U.S.C. § 502(b) and Fed. R. Bank. P. 3007 to Certain (A) Insufficiently Documented Claims, (B) Claims Not Reflected on Debtors' Books and Records, (C) Untimely Claims, and (D) Claims Subject to Modification (the "Ninth Omnibus Claims Objection"). The Ninth Omnibus Claims Objection includes an objection to Rotaform's Claim.

6. The Debtors generally assert that Rotaform's Claim should be modified to \$43,242.00. The Debtors offer the following general bases for making such a determination:

- a. the asserted Claim does not account for amounts that may have been paid or credited against such Claim prior to the commencement of the cases;
- b. may include post-petition liabilities;
- c. the asserted Claim does not account for amounts that may have been paid or credited against such Claim following the commencement of these cases;
- d. the asserted Claim was denominated in foreign currency in violation of the Bar Date Order;
- e. the asserted Claim was docketed and filed against the wrong Debtor entity; and/or
- f. the asserted Claim was misclassified as a priority or secured claim.

7. The Debtors' objections to Rotaform's Claim are merely general assertions regarding various claims listed on a chart attached to the Ninth Omnibus Claims Objection. The Debtors fail to specify which of the above bases they rely on for their objection to Rotaform's Claim. The Debtors do not provide any specific evidence, analysis or documents in support of their Objection.

8. Notwithstanding the Debtors' failure to specify the basis for its objection to Rotaform's Claim, Rotaform has made an informal inquiry of the Debtors in an attempt to resolve the Debtors' objection. The Debtors have not responded with any specific rationale for

the reduction of Rotaform's Claim, other than speculating that perhaps certain goods were not delivered as set forth in Rotaform's Claim.

9. Rotaform's Claim constitutes *prima facie* evidence of the validity and amount of the Claim. *See* Fed. R. Bankr. P. 3001(f). The Debtors bear the burden of presenting valid evidence to rebut the *prima facie* validity of the Claim.

10. The Debtors have not provided any specific information or documents to support their objection to Rotaform's Claim. Thus, the Debtors' objection to Rotaform's Claim should be overruled because the Debtors have failed to present any evidence to rebut the *prima facie* validity of the Claim.

11. Rotaform reserves the right to amend or supplement this response to the extent the Debtors provide more details, information, or evidence regarding the basis for their objection to Rotaform's Claim.

WHEREFORE, Rotaform respectfully requests that this Court overrule the Debtors' objection to Rotaform's Claim, allow Rotaform's Claim in the amount of \$45,258.00 and grant Rotaform such other and further relief to which the Court finds it is justly entitled.

Dated: March 14, 2007

Respectfully submitted,
von BRIESEN & ROPER, s.c.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 14, 2007, she caused a true and correct copy of Rotaform, LLC's Response to the Debtor's Ninth Omnibus Claims Objection to be served upon the parties listed below by first class mail, postage prepaid:


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